



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael B. Zemel

Appl. No. 10/827,353

Confirmation No. 2617

Filed: April 20, 2004

For : HIGH CALCIUM FOODSTUFFS FOR  
WEIGHT LOSS

Art Unit : 1616

Examiner: Webman, Edward J.

Atty. Docket No. 31894-199297

Customer No.

26694

PATENT TRADEMARK OFFICE

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)**

Sir:

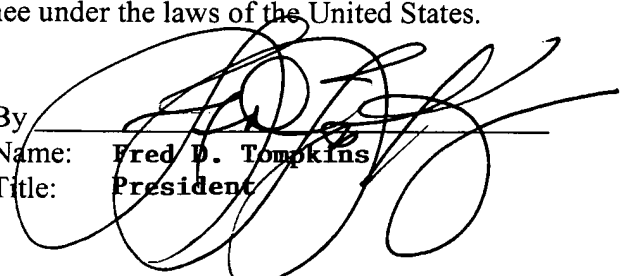
The University of Tennessee Research Foundation, formerly The University of Tennessee Research Corporation, assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment, recorded for parent application No. 10/066,057, filed 31 January 2002, at the United States Patent and Trademark Office, at Reel 012601/Frame 0916, on April 19, 2002, and a Corrective Assignment to Correct the Name of the Correspondence Address, recorded at Reel 016401/Frame 0725, on October 1, 2004 hereby disclaims except as provided below the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. §154 and §156 of U.S. Patent Application 10/827,301 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application 10/827,301, this agreement to run with any patent

granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the term defined in 35 U.S.C. §154 in the event that U.S. Patent Application 10/827,301, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321 (a), has all claims canceled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §154 prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned is the assignee of U.S. Patent Application 10/827,301 by virtue of an Assignment for parent application No. 10/066,057, recorded in the United States Patent and Trademark Office at Reel 012601/ Frame 0916, on April 19, 2002, and a Corrective Assignment to Correct the Name of the Correspondence Address for parent application No. 10/066,057, recorded at Reel 016401/Frame 0725, on October 1, 2004.

Done this 25th day of January, 2008 by the undersigned officer of The University of Tennessee Research Foundation, formerly The University of Tennessee Research Corporation, and duly authorized to act for the assignee under the laws of the United States.

By   
Name: **Fred D. Tompkins**  
Title: **President**

DC2/898790